

March 24, 2011

Mr. Torsten Clausen,  
Director  
Office of Retail Market Development  
Illinois Commerce Commission  
160 N LaSalle St.  
Chicago, IL 60601

RE: ComEd Rate GAP Governmental Aggregation Protocols

Dear Torsten:

Endurant Energy LLC is a local energy services business involved in the development and operation of Combined Heat and Power (CHP) facilities and energy consulting (see: [www.endurantenergy.com](http://www.endurantenergy.com)). Endurant works with a variety of clients helping them make rational decisions involving energy supply procurement. We are currently working with several local municipalities regarding feasibility and implementation of community aggregation programs as allowed under Illinois law. We have participated in several ICC-coordinated teleconferences and we have reviewed the draft tariff Rate GAP provided by ComEd staff. We offer the following comments:

### **Customer Eligibility**

We are in agreement with ComEd that the small commercial class (0-100) is to be included into the eligible customers for municipal aggregation. While electric choice has been available to the small commercial class for about 10 years, the class still remains underserved when compared to larger volume non-residential classes. Our municipal clients envision that a properly managed aggregation program will provide substantial benefits for its residents and small businesses. The 15,000 kW/hr per year threshold mentioned in the Public Utility Act is far too small and would exclude most of the businesses we consider to be "small businesses". For example, a storefront submarine sandwich shop located in downtown Elmhurst, IL easily uses 45,000 kW/hrs per year. This is what I consider a small business. In fact, a 15,000 kW/hr per year threshold is exceeded by many modern households in the Greater Chicagoland area. Including the 0-100 kW class into Rate GAP also provides a low cost option to ComEd since this is a clearly delineated rate class requiring minimal amounts of resources to reprogram data systems to retrieve appropriate account files. This is not the case with a 15,000 kW/hr per year threshold where the selection rules become more subjective and possibly adds more labor into the process.

### **Data Confidentiality**

Customer account data is extremely sensitive and needs to be protected from unintended uses. Under no circumstances should customer information be provided to anyone other than the respective governmental authority or its authorized agent. In ICEA's GAP comments (March 16, 2011 letter to ICC), Point Number 3 under Customer Lists suggests that comprehensive ComEd-generated customer lists should be provided to all eligible RESs (and periodic updates as well). I believe that this is similar to a business owner knowingly giving his customer and prospect lists to his business competitors. A RES equipped with account-specific information can simply move quickly with great focus to capture market share before an aggregation program can even get off the ground. This would be a disaster to communities who value community aggregation programs.



## **Costs/Charges**

Unfortunately, the draft tariff I have does not contain specific information details on costs or charges for the data retrieval services under Rate GAP. My municipal clients are sensitive to costs and we hope the ComEd costs will receive close review by ICC staff and deemed reasonable.

Thanks you for allowing Endurant Energy to submit comments on this matter.

Sincerely,

/s/ Jim Belden

Jim Belden  
Vice President  
Endurant Energy, LLC

